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**CLIFFORD WILLIAMS** 

CIVIL ACTION NO. 04-0980

versus

JUDGE WALTER - SEC P

**VENETIA MICHAELS** 

MAGISTRATE JUDGE HORNSBY

## MEMORANDUM ORDER

Before the court is Plaintiff's Motion to Compel (Doc. 70) and his supporting Memorandum of Law (Doc. 73). Defendants responded to Plaintiff's motion and produced additional documentation which was the subject of Plaintiff's motion. Doc. 75.

Plaintiff's motion is granted in part and denied in part as follows.

- 1. Videotapes of the incident: Defendants shall make arrangements within a reasonable time to permit Plaintiff to view and listen to any recording(s) of the incident which is the subject matter of this lawsuit. However, for security reasons, Defendants need not make a copy of the tape for Plaintiff.
- 2. Policies, Instructions or Warnings for the P.B. Launcher: The "Frequently Asked Questions" regarding the PepperBall Launcher (Defendant's Exhibit 4) already has been produced to Plaintiff by Defendants. For security reasons, the court finds this document is sufficient for Plaintiff's purposes, and Defendants need not produce the manufacturer's instruction manual, warnings or other documentation.

- UORs: Defendants have now produced to Plaintiff all known UORs relating 3. to the incident. This issue is moot.
- Medical Records: All relevant information already has been provided to 4. Plaintiff by Defendants. Plaintiff, who is incarcerated, lacks the equipment necessary to view any x-rays and, therefore, Plaintiff is not entitled to copies of x-rays.
- Mental Health Records: Plaintiff has failed to demonstrate that these records 5. are relevant to a claim or defense of either party to this lawsuit.

MARK L. HORNSBY
UNITED STATES MAGISTRATE JUDGE